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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 5, 2003

APPLICATION OF

LEVEL 3 COMMUNICATIONS OF  
VIRGINIA, INC.

CASE NO. PUC-2003-00026

For certificates of public  
convenience and necessity to  
provide local exchange and  
interexchange telecommunications  
services

ORDER FOR NOTICE AND COMMENT

On February 20, 2003, Level 3 Communications of Virginia, Inc. ("Level 3" or "Applicant"), filed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Level 3's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have an opportunity to comment and request a hearing on Level 3's

application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC-2003-00026.

(2) On or before March 24, 2003, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY  
LEVEL 3 COMMUNICATIONS OF VIRGINIA, INC.,  
FOR CERTIFICATES OF PUBLIC CONVENIENCE AND  
NECESSITY TO PROVIDE LOCAL EXCHANGE AND  
INTEREXCHANGE TELECOMMUNICATIONS SERVICES  
THROUGHOUT THE COMMONWEALTH OF VIRGINIA  
CASE NO. PUC-2003-00026

On February 20, 2003, Level 3 Communications of Virginia, Inc. ("Level 3" or "Applicant"), filed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. In its application, the Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through

Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from Level 3's counsel, Eric M. Page, Esquire, and T. Borden Ellis, Esquire, LeClair Ryan, A Professional Corporation, 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060.

Any person desiring to comment on Level 3's application for certificates to provide local exchange and interexchange telecommunications services may do so by directing such comments in writing on or before April 7, 2003, to the Clerk of the Commission at the address set out below and shall serve a copy of the same on or before April 7, 2003, upon Level 3's counsel at the address set forth above.

Any person may request a hearing on Level 3's application by filing an original and fifteen (15) copies of its request for hearing on or before April 7, 2003, with the Clerk of the Commission at the address set out below. Requests for hearing must state with specificity why a hearing should be conducted. Persons filing a request for hearing shall serve a copy of their request on or before April 7, 2003, upon Level 3's counsel at the address set forth above.

All written communications to the Commission concerning Level 3's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and must refer to Case No. PUC-2003-00026.

LEVEL 3 COMMUNICATIONS OF VIRGINIA, INC.

(3) On or before March 24, 2003, Applicant shall provide a copy of the notice contained in ordering paragraph two (2) to

each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(4) Any person desiring to comment in writing on Level 3's application for certificates to provide local exchange and interexchange telecommunications services may do so by directing such comments on or before April 7, 2003, to the Clerk of the Commission at the address set forth below. On or before April 7, 2003, a copy of such comments shall be served on Level 3's counsel, Eric M. Page, Esquire, and T. Borden Ellis, Esquire, LeClair Ryan, A Professional Corporation, 4201 Dominion Boulevard, Suite 200, Glen Allen, Virginia 23060. Comments must refer to Case No. PUC-2003-00026.

(5) On or before April 7, 2003, any person wishing to request a hearing on Level 3's application for certificates to provide local exchange and interexchange telecommunications services shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC-2003-00026 and shall state

the following: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Copies shall also be served on the Applicant at the address set forth above.

(6) On or before April 21, 2003, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Commission Staff shall analyze the reasonableness of Level 3's application and present its findings in a Staff Report to be filed on or before May 5, 2003.

(8) On or before May 15, 2003, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any responses to the Staff Report or parties' objections and requests for hearing. A copy of the response shall be delivered to the Staff and the other parties by overnight delivery.

(9) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in

accordance with Part IV of the Commission's Rules of Practice and Procedure.

(10) The Applicant shall respond promptly to requests from interested parties for copies of the Application and shall provide one copy of same free of charge to the requesting party.

(11) This matter is continued generally.